

REMARKS

Claims 1-12 are pending in this application. By this Amendment, claims 3, 6 and 7 are amended to obviate informalities, and not for substantial reasons related to patentability.

No new matter is added.

Reconsideration of the application is respectfully requested.

Applicant thanks Examiner Brown for the courtesy extended to applicant's representative, Mr. Luo, during the April 23, 2008 personal interview. The substance of the personal interview is incorporated in the following remarks.

The Office Action objects to claim 6. Claim 6, along with claims 3 and 7, is amended to obviate informalities. Accordingly, withdrawal of the objection to claim 6 is respectfully requested.

The Office Action rejects claims 1-3 and 8 under 35 U.S.C. §103(a) over U.S. Patent No. 6,353,776 to Rohrl et al. (hereinafter "Rohrl") in view of U.S. Patent No. 5,469,727 to Spahn et al. (hereinafter "Spahn"); rejects claims 4 and 6 under 35 U.S.C. §103(a) over Rohrl in view of Spahn and further in view of U.S. Patent No. 6,400,255 to Ohnishi et al. (hereinafter "Ohnishi") and U.S. Patent No. 6,681,987 to Ford; rejects claim 5 under 35 U.S.C. §103(a) over Rohrl in view of Spahn, Ohnishi and Ford and further in view of U.S. Patent No. 5,659,291 to Kennedy et al.; rejects claim 7 under 35 U.S.C. §103(a) over Rohrl in view of Spahn, Ohnishi and Ford and further in view of U.S. Patent No. 5,349,345 to Vanderschel; rejects claim 9 under 35 U.S.C. §103(a) over Rohrl in view of Spahn and further in view of U.S. Patent No. 6,609,969 to Luciano et al.; and rejects claims 10-12 under 35 U.S.C. §103(a) over Rohrl in view of Spahn and further in view of U.S. Patent No. 6,718,235 to Borugian. These rejections are respectfully traversed.

I. The Office Action Fails to Address Each and Every Element Recited in Claim 1

Claim 1 recites, among others, "a lock that includes said antenna for key and into which said key is to be inserted." Nowhere does the Office Action address this feature recited in claim 1. Thus, the Office Action fails to establish a *prima facie* case of rejection of claim 1.

II. The Office Action Fails To Address Each And Every Element Recited In Claim 8

Claim 8 also recites "a lock that includes said antenna for key and into which said key is to be inserted." Nowhere does the Office Action address this feature recited in claim 8.

Furthermore, claim 8 recites "an IC tag for monitoring opening/closing operation," in addition to "an IC tag for locking operation." The Office Action only addresses "an IC Tag for locking operation," recited in claim 8. The Office Action fails to address "an IC tag for monitoring opening/closing operation," as recited in claim 8.

In view of the above, the Office Action fails to address each and every element recited in claim 8. Thus, the Office Action fails to establish a *prima facie* case of rejection of claim 8.

III. Rohrl Does Not Disclose Or Suggest "A Lock That Includes Said Antenna For Key And Into Which Said Key Is To Be Inserted"

Rohrl is directed to a system having a transponder 1 that remotely communicates with a motor vehicle 9. See col. 2, lines 36-52. Rohrl does not disclose a lock on the motor vehicle 9 for transponder 1 to insert into, which requires direct contact between the transponder 1 and the motor vehicle 9. Thus, Rohrl does not disclose "a lock that includes said antenna for key and into which said key is to be inserted," as recited in claims 1 and 8.

Also, it would have been against the operation principle of Rohrl to require that the transponder 1 be inserted into a lock on the motor vehicle for the communication therebetween to perform. Thus, it would be unreasonable to assert that Rohrl can be modified

to have a lock on the motor vehicle for the transponder to insert into. Thus, Rohrl does not even suggest "a lock that includes said antenna for key and into which said key is to be inserted."

IV. One Of Ordinary Skill Would Not Have Had Any Reason To Combine The Alleged IC Tag Of Spahn With Rohrl's System

The Office Action recognizes that Rohrl does not disclose or suggest a key that includes an IC tag for locking operation. However, the Office Action asserts that Spahn discloses such a feature. The Office Action further asserts that one of ordinary skill would have modified Rohrl with Spahn's IC tag. This assertion is without merit for at least two reasons.

First, Spahn discloses electronic circuit 47. See col. 5, lines 39-53. When key 15 is inserted in lock cylinder as shown in Fig. 4 of Spahn, the electronic circuit 47 is connected with coupling coil 49 in the key shank 19. Then, the electronic circuit transmits coding information.

In view of the above, the electronic circuit 47 in key 15 is merely a circuit that transmits coding information. The electronic circuit 47 is not an IC tag that stores identification data. Thus, the assertion in the Office Action that Spahn's electronic circuit 47 corresponds to an IC tag is not supported.

Secondly, even if the electronic circuit 47 of Spahn is asserted as being an IC tag for the sake of argument, one of ordinary skill would not have had any reason to combine such an asserted IC tag with the system of Rohrl. In particular, Spahn's electronic circuit 47 is required to be connected with the coupling coil 49 in the key shank 19 in order for the electronic circuit 47 to transmit coding information. Thus, for the electronic circuit 47 of

Spahn to function, the key 15 must be inserted into the lock cylinder shown in Fig. 4 of Spahn.

However, as discussed above, Rohrl is directed to remote communication between transponder 1 and motor vehicle 9. One of ordinary skill would not have had any reason to combine an electronic circuit that is required to be inserted into a lock with a system which is intended for remote communication. Thus, the Office Action fails to establish any reason for combining Spahn and Rohrl.

V. Conclusion

For any or all of the above reasons, the Office Action fails to establish a *prima facie* case of rejection and fails to properly reject the claims. Accordingly withdrawal of the rejection of the claims under 35 U.S.C. §103(a) is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-12 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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